

SERC Meeting
October 10, 2000
10:00 a.m.

John Pack began the meeting at 10:03 a.m. a quorum was present, for those in attendance see attached roster. The minutes of August 14, 2000 were reviewed. Mr. Pack asked for corrections, deletions or additions. Roy McCallister moved to approve the minutes, Joe Wyatt seconded. Motion passed.

Old Business - The Counter-Terrorism workshops held throughout the state have been completed. Certificates of Completion were mailed, a number of individuals will not receive certificates, their writing was illegible or they did not provide an address. Some counties have requested individual workshops, because of the number of requests and time constraints with other projects we're asking counties to be flexible. A letter has been sent to the State Fire Marshal requesting clarification on qualifications for hazmat teams. Survey letters to fire departments, law enforcement, EMS have been sent on the needs assessment, because the response has not been enthusiastic we will probably give them an extension.

Mr. Pack asked Dave Wheatcraft how many Emergency Response to Terrorism Job Aids were ordered and when will they be in. Mr. Wheatcraft said 5000 copies were ordered and will be in before December 1, 2000. The goal is to have one on every truck, ambulance and law enforcement vehicle in the state if they want them. This information can also be utilized for Hazmat incidents, it will be a good tool for first responders to use in case of unusual incidents. Mr. Wheatcraft said an order has also been placed using Jane's Bio-Chem handbook and Facilities Security handbook, we ordered 5000 copies of the Bio-chem book and 1000 of the Facilities. Each set of books have been ordered with our logo as well as critical phone numbers in the state. The facilities book addresses security planning, building security, hospitals, utilities, educational institutions and the minimum things they should be doing at their facility. We plan to make these books available to hospitals, schools, libraries and city halls. These items were purchased using Terrorism money not SERC funds.

HMEP Grants - Mr. Wheatcraft said Kanawha/Putnam EPC has indicated they will not need the grant amount the committee awarded them, \$4895.00 can therefore be redistributed to appropriate LEPC's. Mr. Wheatcraft received a letter from Hancock/Brooke county LEPC concerning their rejection of their 2001 grant request. John Paul Jones, OES Director and LEPC Chairman has requested the SERC reconsider their decision or allow the LEPC to refine and resubmit their application. Discussion on the committees recommendations and the projects they reduced or disallowed followed. Roy McCallister made a motion to reactivate the selection committee, send a written request to all eligible LEPCs asking if they require additional funds or to clarify their previous

applications. They will then submit their recommendations to the SERC for approval or disapproval. Mr. Jarvis seconded. More discussion followed on who should be allowed to resubmit applications and why. Mr. McCallister amended his original motion to include "allow the committee the flexibility to do whatever they feel in their judgement is necessary and given enough information to make an intelligent decision. Mr. Jarvis seconded. Amended Motion passed. Original Motion passed. LEPCs who have not completed their 2000 grants have been contacted and reminded of their December 1, 2000 deadline.

They have also been asked to notify the SERC if they do not expect to use all of their funds so those funds can be reallocated.

SERC Grants - US EPA is assisting us to determine types of businesses who have not previously filed Tier Two's. Mr. Wheatcraft indicated he received information concerning water processing plants such as Tyler Mountain Spring and others use chlorine in some of their processes - chlorine is an EHS and 100 lbs. on site requires you to file Tier Two's and pay a fee. Tom Fisher - DEP said he can get a listing of facilities within the state. All LEPCs who have received partial payments for their SERC grants have been notified they have 30 days to complete their grant requests or ask for their 2nd payment if they do not they will not be eligible for their remaining funds. Mr. Pack stated if they do not request their funds a letter will be sent stating their funding is no longer available, the law clearly states a 2nd request for payment must be received by 1 July of the grant year.

Plan Reviews - Kim Hallam reported Tucker county has met 7 of the 9 required criteria, he noted their last review they met all 9 criteria. He stated he just received the Cabell/Wayne update and has not been able to review it yet. Mr. Pack asked if LEPC plans have been previously approved without all 9 criteria being met. Tom Burns said yes - if you look at the enclosed list you can determine how many of the 9 criteria each LEPC has met. There was discussion on eliminating the possibility of allowing LEPC's to be approved without all 9 criteria being met. There was also discussion concerning those LEPC's who have yet to complete the 9 required criteria possibly giving them 30-60 days to complete the updates and submit to the SERC. Mr. Pack suggested sending a notice to the LEPCs who have previously been approved without meeting all 9 criteria. They have to meet the 9 criteria in order to continue being ratified by the SERC, then if an LEPC comes to us for an initial review they're told up front they must meet all 9 criteria. If not the plan will be automatically sent back without approval until all 9 criteria is met. Joe Wyatt made a motion to notify LEPCs previously approved who do not meet the requirement of 9 criteria they have 6 months to bring their plans up to the status of 9 out of 9 criteria. LEPCs submitting plans in the future must have all 9 criteria before the SERC will consider approval of their plan. Rudy Raynes seconded. Motion passed Mr. Jarvis moved to approve Tucker County with the same restrictions, they must come into compliance with all 9 criteria within 6 months. Roy McCallister

seconded. Motion passed.

LEPC Membership Approvals - McDowell, Mineral, Morgan, Raleigh and Roane counties have submitted updated LEPC Membership lists, all but Morgan county meet the minimum of 12 individuals names to the required categories, Morgan county only lists the Health Dept. It was noted that Morgan county's update was their first since 1994 when they only had 3 members on their list. Roy McCallister moved to approve McDowell, Mineral, Raleigh and Roane LEPC membership lists and table Morgan until an individual is named to the Health Department. Jim Riggs seconded. Motion passed. Discussion continued on how often LEPC lists need to be updated, why positions could not be stipulated for a category such as Coast Guard for Environmental and the Coast Guard could name the individual since they rotate so often.

Mr. Pack said the law does not allow that type of latitude when it comes to members of the LEPC.

By-Laws - There was discussion on procedures for approving By-Laws and if they should be approved with stipulations that requirements need to be complied with or if the document should be tabled until all provisions are met. Mr. Pack suggested the Board look at conditional approvals for future By-Law submissions and whether or not they want to continue the procedure. The consensus of the board was if paperwork comes in for SERC review and all sections are not correct the items should be sent back to the LEPC for correction before being submitted to the SERC.

Training Subcommittee - Jim Cox said the CD-Roms for the FEMA manual will cost between \$9-15 each. Mr. Cox said during his recent trip to EMI he was told a questionnaire was sent to all fire departments, if the questionnaire was returned to EMI that fire department will receive a copy of the manual or CD. Mr. Cox also said Kanawha/Putnam LEPC is hosting a state police Telecommunicators in-service training at Romney, Fairmont and at the State Police Academy. Also Cabell/Wayne county is holding a live interactive drill with CSX on October 26 at 6:00 pm at the Gateway conference center on Rt 60, Barboursville. If you would like to attend please notify Cabell/Wayne LEPC or Peter Lydens.

HMEP Grant Subcommittee - Mr. Riggs determined the grant subcommittee will meet November 16th and review applications for the additional \$4800.00 in HMEP funds for 2001.

Other New Business - Discussion began on the SERC/LEPC conference for 2001. Several facilities were asked to submit proposals for their site, costs, room rates and meal expenses. Pipestem State Park refused to consider holding a

block of rooms during the months of July and August. Canaan Valley agreed to block off rooms but was unable or unwilling to make considerations on the food, however, that was the single largest complaint from attendees this year. Because of the end of the fiscal year for the state and federal budget, it was felt a different time frame would be better for expenditure purposes instead of June. Mr. Pack said he was open to suggestions but thought the Board might want to consider going to different regions every year instead of staying at the same place. Mr. Pack said the Eastern Panhandle might be a viable option although it may reduce the number of attendees it also provides an opportunity to see some of the issues the Eastern Panhandle commonly deals with as well as resources available in that part of the state. Several facilities were tried including the Clarion Inn in Shepherdstown but although they had enough rooms did not have the meeting facilities we would need. The Holiday Inn-Martinsburg has been host to several National Guard Conferences and has given us a very good conference and room rate. The dates we asked them to look at were July 30, 31 and August 1, 2001. The room rate is \$64.00 + tax, Canaan Valley is 69+ tax. We checked with Glade Springs, Canaan Valley, Lakeview, Ogelbay and Pipestem all of which had significantly higher room and conference fees, the best rate for the time we need is the Holiday Inn. The Holiday Inn also operates a Days Inn across the road so if we had more attendees than expected we could house the overflow there at the same room rate. They have also given us a hospitality room at no charge. The Berkeley County LEPC has agreed to assist us in planning for the conference as well coordinating outside activities for family members. They will coordinate some activities through the Chamber of Commerce and they already have some ideas on topics for the agenda as well as activities for families.

This is the first time we have coordinated with an LEPC and it seems like a good way to encourage participation by LEPC members. Joe Wyatt made a motion to proceed with July 30, 31 and Aug 1 for the 2001 SERC conference in Martinsburg, WV. Rudy Raynes seconded. Motion passed. Mr. Pack asked the SERC if they felt the briefcases distributed during the 2000 Conference were worthwhile and should we continue to look at other items to present to attendees during our conference. Discussion centered on if the SERC should create a logo and what it should go on, possibly umbrellas or day planners, something that would be useful and attract attention for the LEPC and SERC. There was also a suggestion SERC board members might have polo shirts with a SERC logo and the year of the conference.

A Public Officials workshop is scheduled in Huntington at the Raddison Hotel March 31 and April 1, 2001. It will be open to all newly elected or previously elected county commissioners, OES directors, senators, representatives and in some cases city council members. We will educate them

on SERC/LEPC roles, Emergency Service roles, FEMA requirements and responsibilities as well as the law. Our intent is to host one of these meetings every other year. Dave Wheatcraft indicated US EPA has proposed two penalties for PPG in Martinsville. One is a failure to submit by March 1, 1998 to the SERC and LEPC a Tier Two form for 1997 violating EPCRA section 312 the second count is failure to immediately notify the NRC following the RQ release of paradactylbenzyne in violation of CERCLA section 103 and parts of the CFR. The proposed fine is \$13,750.00 for count one and \$54,375.00 for count two for a total fine of \$68,125.00. Mr. Wheatcraft said this is one of the reasons we want to find those facilities who have not filed, we prefer facilities to be in compliance rather than go through the litigation process. Mr. Wheatcraft said he and his staff recently attended the Kanawha/Putnam LEPC meeting, JR Bias presented the new county plan on CD during the meeting. Obviously a lot of work, planning and time went into the project and it is very impressive. Mr. Pack said he and Dave Wheatcraft will be attending the Hardy County LEPC meeting Tuesday and they both continue to encourage county officials and LEPCs to meet and conduct appropriate business for the benefit of their citizens. Shirley Lawson and Bill Willis said they had recently attended a Counter-Terrorism class in Ashland, KY taught by retired Colonel Steve Hightower from the Department of Defense. They asked the board to consider scheduling Col. Hightower for a class during the 2001 SERC/LEPC Conference. Mr. Pack said we would definitely consider it and since we will be closer to Washington DC we should be able to obtain a larger variety of national speakers including those from the FBI, ATF and others. There was continued discussion on speakers, classes and agendas.

Mr. Pack suggested the next meeting take place at Cedar Lakes Conference Center. OES will be conducting a Directors meeting December 6 between 1-4. He thought Board members might like to conduct their meeting at 10:00 am affording them the opportunity to stay for the Directors meeting if they choose. We will of course provide lunch for participants.

Richard Jarvis moved to adjourn, Rudy Raynes seconded. Meeting ended at 12:00. Next scheduled meeting will be December 6, 2000 at Cedar Lakes Holt Lodge 10:00 a.m.